

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 08 CV 3160
)	
EGAN MARINE, INC., in personam, MOTOR)	Judge Coar
VESSEL LISA E, in rem, and TANK BARGE)	
EMC-423, in rem,)	Magistrate Judge Cox
)	
Defendants.)	

MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD

NOW COMES the Defendants, EGAN MARINE, INC., in personam, MOTOR VESSEL LISA E, in rem, and TANK BARGE EMC-423, in rem, by and through its attorneys, Jennifer C. Timm, and moves this court to extend the time for to answer or otherwise plead to the to the verified complaint of the Plaintiff, United States of America ("USA").

1) USA brought a Verified Complaint ("complaint") against Defendants seeking, *inter alia*, damages as a result of a January 11, 2005 occurrence. USA's complaint was served on Defendants on June 10, 2008.

2) At the time of the complained of occurrence, Defendants were covered under a vessel owner pollution marine insurance policy issued by Great America Insurance Company ("Great American"), policy no. OMH 538-93-12 (04), with a policy period of December 22, 2004 through December 22, 2005.

3) On June 16, 2008, Defendants tendered the defense of this case to Great American.

4) To date, Great American has not responded to Defendants' tender.

5) Defendants respectfully request an additional 21 days to answer or otherwise plead to Plaintiff's verified complaint. Counsel for Defendants personally consulted with counsel

for USA, and USA's counsel, Stephen R. Campbell, authorized Defendants' counsel to report that USA has no objection to the motion to extend.

WHEREFORE, Defendants, EGAN MARINE, INC., in personam, MOTOR VESSEL LISA E, in rem, and TANK BARGE EMC-423, in rem, pray this court enter an order extending time to answer or otherwise plead to the verified complaint of the Plaintiff.

Respectfully submitted,

s/Jennifer Curtin Timm

Jennifer Curtin Timm

Attorney for Defendants

ARDC: 6229091

Attorney for Defendant

Egan Marine Corporation

15200 East Canal Bank Road

P.O. Box 669

Lemont, Illinois 60439

(630) 739-0947

Fax: (630) 739-4455

CERTIFICATE OF SERVICE

I,, being first duly sworn, upon oath, depose and state that affiant served a copy of the foregoing **Appearance, Notice of Motion and Motion for an Extension of Time to Answer or Otherwise Plead**, electronically referenced herein to all attorneys of record, at their listed addresses, on June 30, 2008.

s/Jennifer Curtin Timm

Jennifer Curtin Timm

Attorney for Defendants

ARDC: 6229091

Attorney for Defendant

Egan Marine Corporation

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SERVICE LIST

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

EGAN MARINE, INC., in personam, MOTOR
VESSEL LISA E, in rem, and TANK BARGE
EMC-423, in rem,

Defendants.

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) Case No. 08 CV 3160
)
) Judge Coar
)
) Magistrate Judge Cox
)
)

NOTICE OF MOTION

To: See Attached Service List

On Thursday, July 3, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Judge David H. Coar, or any judge sitting in his stead, in the Courtroom usually occupied by him in Room 1419 of the Dirksen Federal Building, Chicago, Illinois and shall then and there present Defendants' **MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD.**

Respectfully submitted,

s/Jennifer Curtin Timm

Jennifer Curtin Timm

Attorney for Defendants

ARDC: 6229091

Attorney for Defendant

Egan Marine Corporation

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s/Jennifer Curtin Timm

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Attorney for Defendants

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